

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 13901-13950

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 19, 1926]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

13901. Adulteration of canned cherries. U. S. v. 22 Cases of Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20492. I. S. No. 926-x. S. No. W-1796.)

On or about October 9, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 22 cases of cherries, remaining in the original unbroken packages at Puyallup, Wash., alleging that the article had been shipped by Hunt Bros. Packing Co., from Salem, Oreg., September 2, 1925, and transported from the State of Oregon into the State of Washington, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On October 31, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13902. Adulteration and misbranding of evaporated apples. U. S. v. 37 Boxes of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20021. I. S. No. 21845-v. S. No. C-4717.)

On April 20, 1925, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 37 boxes of evaporated apples, at Pikeville, Ky., alleging that the article had been shipped by E. B. Holton, Webster, N. Y., on or about December 20, 1924, and transported from the State of New York into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "25 Lbs. Evaporated Apples Choice Daisy Brand Ring Packed By E. B. Holton, Webster, N. Y."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive moisture, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Evaporated Apples," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article, to wit, evaporated apples.

On October 19, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*